

## SUPPLEMENTAL REPORT

17000014

CRIME: 69 PC Resist Peace Officer with Threat/Force

VICTIM: Officer Van Woerkom, Andrew  
Officer Bonilla, Robert  
Sergeant Sprecco, Nicholas  
Sergeant Larson, Jeremiah

SUSPECT: BALDWIN, Danny Martin [REDACTED]

DATE/TIME: 01/01/2017 – 2106 Hours

LOCATION: 500 N Second, El Cajon

REFERENCE: Statement of Case

BACKGROUND:

Officer Van Woerkom is a 28 year old male. He has been a sworn police officer for 3 years and 3 months. He is currently assigned to the Patrol Division, where he has spent his entire career at ECPD. He is currently assigned to midnight patrol and his call sign on 01-01-17 was 109. 01-01-17 was his first shift in the week. On 01-01-17 he was wearing an ECPD Patrol Uniform consisting of a button-down shirt with a sew-on cloth badge, two El Cajon Police Department shoulder patches, and an embroidered name patch. He had a Body Worn Camera (BWC) on his uniform. He was wearing a duty belt consisting of his department issued firearm, magazine pouches, department issued electronic control device (ECD), baton, radio, and handcuffs. Officer Van Woerkom was carrying his department issued Glock 22 .40cal firearm. The firearm was modified to add iridescent Trijicon sights to the firearm. Inside the firearm was a fully-loaded 15-round magazine and one additional round in the chamber. All 16 rounds were department issued.

Officer Bonilla is a 29 year old male. He has been a sworn police officer for 6 years and 3 months. He is currently assigned to the Patrol Division, where he has spent his entire career at ECPD. He is currently assigned to midnight patrol and his call sign on 01-01-17 was 107. On 01-01-17 he was wearing an ECPD Patrol Uniform consisting of a button down shirt with metal badge, two El Cajon Police Department shoulder patches, and a metal name plate. He had a Body Worn Camera (BWC) on his uniform. He was wearing a duty belt consisting of his department issued firearm, magazine patches, department issued ECD, baton, radio, and handcuffs.

Sgt. Larson is a 40 year old male. He has been a sworn police officer for 14 years and 11 months. He is currently assigned to the Patrol Division, where he has worked since his promotion to sergeant in June 2014. Prior to his promotion he worked as a patrol officer, as well as a School Resource Officer and Detective. His collateral duties include being on the

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SWAT team. He is currently assigned to midnight patrol and his call sign on 01-01-17 was 10S. On 01-01-17 he was wearing an ECPD Patrol Uniform consisting of a button-down shirt with a metal badge, two El Cajon Police Department shoulder patches, and a metal name plate. He had a Body Worn Camera (BWC) on his uniform.

Sergeant Sprecco is a 37 year old male. He has been a sworn police officer for 15 years and 6 months. He is currently assigned to the Patrol Division, where he has worked since his promotion to sergeant in March 2016. Prior to his promotion, he worked as a patrol officer, as well as a School Resource Officer, Motor Officer, and Detective. His collateral duties include being on the SWAT team. He is currently assigned to midnight patrol and his call sign on 01-01-17 was 14S. On 01-01-17 he was wearing an ECPD Patrol Uniform consisting of a button-down shirt with a metal badge, two El Cajon Police Department shoulder patches, and a metal name plate. He had a Body Worn Camera (BWC) on his uniform.

Danny BALDWIN is a 56 year old male. [REDACTED]

[REDACTED]

[REDACTED]

Danny BALDWIN has previously resided at [REDACTED]

On 01-01-17 BALDWIN was wearing a t-shirt, button-down dress shirt, a lightweight jacket, a red parka jacket, blue jeans, black boots, and a belt which had a black Bunk Knife pouch on it. BALDWIN was carrying a Buck 110L folding knife, which consisted of a 3.5" blade and 5" wooden handle.

On 01-01-17 at 2100 hours the temperature in El Cajon was approximately 46 degrees. There had been a slight rain on and off throughout the day and night, totaling .04". The area of 500 N 02<sup>nd</sup> St between Madison and Oakdale is well-lighted with street lamps on either side of the street. There are well-lighted businesses on both sides of the streets. Many businesses in the area are open or just closing at 2100 hours including:

- El Compadre Taco Shop – 595 N 2<sup>nd</sup> St
- El Rey Moro Taco Shop – 569 N 2<sup>nd</sup> St
- KFC – 555 N 2<sup>nd</sup> St
- Petco Animal Supplies – 540 N 2<sup>nd</sup> St

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- Taquiria El Cotixan – 538 N 2<sup>nd</sup> St
- Chen Golden Palace – 530 N 2<sup>nd</sup> St
- Wings and Things – 528 N 2<sup>nd</sup> St
- Finest Donuts – 526 N 2<sup>nd</sup> St
- Carl's Jr. – 520 N 2<sup>nd</sup> St
- 7-Eleven – 500 N 2<sup>nd</sup> St

During the following incident, there was light pedestrian traffic in the area, and moderate vehicular traffic on the roadway.

FACTS:

On 01-01-17, between 2024 hours and 2052 hours, an unidentified male called 9-1-1 [REDACTED] 7 times.

At 2024 hours the caller told Dispatch to go get [REDACTED] who was in El Cajon and bring her to 2<sup>nd</sup> and Oakdale. He asked for [REDACTED] to bring his dog as well. The caller then disconnected.

At 2033 hours the caller told Dispatch "I called a few minutes ago and this is no joke." He then asked for the dispatcher to get [REDACTED] on Sumner St in El Cajon and bring her to 2<sup>nd</sup> and Oakdale. When asked where he was, the caller stated "Shut the fuck up and get [REDACTED] on Filbert St in El Cajon off of Main and bring her to Oakdale and 2<sup>nd</sup>. You got 20 minutes." The caller then disconnected.

At 2036 hours the caller asked the dispatcher to get [REDACTED] on Filbert St in El Cajon and bring her to 2<sup>nd</sup> and Oakdale. He again asked for his dog as well. He told the dispatcher that she has 10 minutes and that it is no joke. The caller then disconnected.

At 2043 hours the caller immediately stated "You need to shut up and listen, you have 5 minutes." The caller refused to answer questions and began cursing at the dispatcher. The call was disconnected by the dispatcher as the caller refused to answer questions or stop cursing at the dispatcher.

At 2045 hours the dispatcher immediately asked the caller if he would answer questions and the caller stated he would not. The caller told the dispatcher to bring [REDACTED] to 2<sup>nd</sup> and Oakdale. He asked for his dog and then murmured and mumbled and disconnected the call.

At 2047 hours the caller started by saying "Listen carefully, you're going to bring [REDACTED] to corner Oakdale and 2<sup>nd</sup> in the main divider and I'm taking myself out."

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At 2052 hours the caller stated he was going to take himself out in front of his girlfriend. He stated he wants answers to his questions before he does it. The dispatcher told the caller to wait there and speak with officers when they arrive.

A call was generated as an "11-11" or Check the Area, which is a lower priority call.

At 2056 hours Officers Bonilla and Van Woerkom were dispatched to the call. Officer Bonilla arrived on scene at approximately 2059 hours and drove west on Oakdale looking for the reporting party. Officer Van Woerkom arrived on scene at approximately 2100 hours and saw a subject, later identified as Danny BALDWIN standing in the center median of N 2<sup>nd</sup> St, just south of Oakdale Ave.

Officer Van Woerkom attempted to contact BALDWIN with his vehicle P.A. system, but BALDWIN would not respond. Officer Van Woerkom parked his vehicle on Oakdale east of N 2<sup>nd</sup> St. Officer Bonilla parked his vehicle on N 2<sup>nd</sup> St, south of Oakdale Ave. Officer Van Woerkom's initial thought of the situation was that BALDWIN was acting strangely and Officer Van Woerkom thought that maybe BALDWIN wanted to jump in front of traffic to commit suicide.

Officer Van Woerkom made initial contact with the subject, who was responsive to Officer Van Woerkom's questions, identifying himself as "Danny." Officer Van Woerkom began putting on gloves, anticipating he may need to go hands-on with the subject. He looked down to put on his gloves, and when he looked back up BALDWIN was holding a large knife.

Officer Van Woerkom described the knife as have a shiny blade approximately 6" long. He believed it looked like a hunting knife. The handle was brown, similar to a deer antler coat/finish. He had no reservation about if it was real or not, it looked real the entire time.

Officer Van Woerkom thought back to his training when he was taught that suspect's with bladed weapons can cover short distances rapidly, even after being shot. This caused Officer Van Woerkom to remind himself to keep his distance from BALDWIN.

Officer Van Woerkom is familiar with this specific area of El Cajon and knows it to be commonly frequented by vehicular and pedestrian traffic, even at late hours. He saw there were people on the west side of the street. Traffic on the roadway was between light to medium. Officer Van Woerkom was concerned with public safety to both motorists and pedestrians, as well as his own safety as he was in the median near the traffic.

Officer Bonilla also observed BALDWIN was holding a large knife. Officer Bonilla immediately advised Dispatch via his radio that the subject had a knife and requested two additional officers respond Code 3.

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Officer Van Woerkom ordered BALDWIN to drop the knife, and BALDWIN ignored the order. BALDWIN began walking southbound in the center median. Officer Van Woerkom initiated his Body Worn Camera (BWC). Officer Van Woerkom un-holstered his firearm and kept it by his side.

Officer Van Woerkom described BALDWIN's demeanor as angry. He stated BALDWIN would respond angrily to any statements or questions the officers had. Also, he would respond "No" when asked to sit down or drop the knife.

Officer Van Woerkom moved to the center median and began following BALDWIN, and Officer Bonilla paralleled on the west sidewalk. Officer Van Woerkom decided to follow BALDWIN in an L-shape pattern, with Officer Van Woerkom slight east and south of Officer Bonilla's location. Officer Van Woerkom was giving BALDWIN commands to drop the knife and to sit down on the curb, which were being ignored. BALDWIN yelled to Officer Van Woerkom that he would not drop the knife.

BALDWIN told the officers that he was having issues with his "old lady" who took his dog from him. BALDWIN stated "my old lady won't give me my fucking dog." Both officers stated they would help him get his dog back. BALDWIN stated "I'm going to kill myself no matter what." BALDWIN continued walking southbound.

At 2104 hours Sgt. Larson arrived on scene. He was driving northbound on 2<sup>nd</sup> St and he parked his vehicle blocking southbound traffic, due to the safety concerns with the officers and BALDWIN being in the street. Sgt. Larson saw that BALDWIN and the officers were closer to Oakdale at this point.

BALDWIN was backing up, holding a knife to his chest as if was going to plunge it into his chest, and Officer Bonilla and Officer Van Woerkom were walking with him about 25 feet away from him. Sgt. Larson asked Officer Bonilla if they had attempted to use the ECD on BALDWIN, and Officer Bonilla responded that he did not know if it would be effective due to his large jacket. Seeing that BALDWIN still carried the knife, Sgt. Larson requested a less-lethal shotgun and a K-9 respond to the incident as well.

Suddenly, BALDWIN began running southbound in the roadway.

Officer Van Woerkom stated he suddenly became worried about the pedestrians he could see at the businesses on the west side of the street, primarily 7-Eleven.

Officer Bonilla was concerned with the safety of the motorists in the area. He knew any vehicles that stopped for the red light could become a carjacking victim. He was concerned for the safety of pedestrians in the area, and Officer Bonilla knew that there were open businesses in the direction that BALDWIN had run. Officer Bonilla is specifically concerned with the 7-11 at Madison and N 02<sup>nd</sup> because it is common for it to be heavily patronized at

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this time of night. Officer Bonilla was also concerned with being in the street because of the vehicular traffic in the area. His concern for this diverted his attention from BALDWIN at times.

The officers gave chase and BALDWIN stopped running a short time later, across from Carl's Jr. BALDWIN faced the officers, still standing, with bent knees. His right hand still held the knife, which was out to the side.

Officer Van Woerkom interpreted this stance as an aggressive stance in which he could immediately charge officers if he wanted to.

Officer Bonilla interpreted this stance as a defensive stance, giving a non-verbal message to not get close to him, because he was willing to use the knife. Officer Bonilla took this as a threat, and felt threatened.

Officer Bonilla estimate they were approximately 10 feet from BALDWIN at this point. Sergeant Larson estimated they were approximately 10 feet from BALDWIN at this point. Officer Van Woerkom continued ordering BALDWIN to "Put the knife down!" Officer Van Woerkom maintained the L-shape pattern, to try to keep BALDWIN contained.

Officer Bonilla discharged his ECD at BALDWIN, because he felt threatened, and so that BALDWIN would not run away from or come closer to them again. The ECD it was ineffective. It appears that at least one barb struck BALDWIN in his thick jacket. BALDWIN then swung his right hand, while holding the knife, 3 times in a circular motion in front of him as he attempted to remove the barb from his jacket. Officer Van Woerkom continued yelling "Put the knife down."

BALDWIN began backing up at a quick pace, still holding the knife in an aggressive manner. Officer Bonilla then instructed Officer Van Woerkom to switch to his ECD, as Officer Bonilla's was expended.

Officer Van Woerkom saw that there were pedestrians on the sidewalks near where they were. Officer Van Woerkom also saw that they were closer to BALDWIN than he felt comfortable with. He estimated it was 10-15 feet. Officer Van Woerkom knew that he and the other officers were at a distance from BALDWIN that he could hurt one of the officers if BALDWIN wanted to. Officer Van Woerkom worried that BALDWIN would hurt one of the officers, and he continued yelling for BALDWIN to drop the knife.

Officer Bonilla believed that using his baton would not have been effective, and would have placed Officer Bonilla in more danger because he would have needed to get closer to BALDWIN to attempt to use the baton.

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Officer Van Woerkom believed that using his baton would not have been effective, because he would need to be 2-3 feet from BALDWIN to attempt to use it, and Officer Van Woerkom did not want to get that close to him.

Officer Van Woerkom transitioned to his ECD, pointed it at BALDWIN, and fired it. It did not appear to affect BALDWIN and Officer Van Woerkom yelled out "Ineffective!"

Sgt. Sprecco arrived on scene from the north and brought a less-lethal beanbag shotgun. As he approached he saw that BALDWIN was carrying a knife, and he watched as one of the officers discharged his ECD. Sgt. Sprecco did not specifically inform on-scene officers that he had the beanbag shotgun with him.

Officer Van Woerkom saw Sgt. Sprecco arrive and he immediately was happy knowing that a non-lethal shotgun was on scene. He was expecting to hear the shotgun discharge.

BALDWIN went down to his knees. Sgt. Larson interpreted this as BALDWIN becoming a little compliant. He heard BALDWIN begin telling the officers to "Do it, shoot me," or something to that effect. Sgt. Larson stated that even though BALDWIN was on his knees, Sgt. Larson knew he could have effectively attacked the officers given the distance he was from them.

Sgt. Sprecco saw BALDWIN go to his knees and he did not know if this was due to the effects of an ECD or because BALDWIN was following an officer's orders. Sgt. Sprecco saw that BALDWIN was not sitting all the way down, he was kneeling in an upright position. Sgt. Sprecco knew from training and experience that BALDWIN could have attacked officers from this distance and position. Sgt. Sprecco knows that if he were in that kneeling position he could have stood, run, or lunged towards the officers quickly enough to be effective in an attack.

Officer Van Woerkom ordered BALDWIN to get down all the way on the ground and to drop the knife, but he continued to ignore orders. BALDWIN placed the knife to his neck with his right hand and made a slicing motion towards his neck, as if slicing his neck, while his body was moving forward, towards Officer Bonilla and Sergeants Sprecco and Larson.

Officer Van Woerkom initially thought to himself that BALDWIN was going to commit suicide in front of them. However, after the first slicing motion that BALDWIN made, Officer Van Woerkom saw that there was no injury.

Sergeant Sprecco got the impression from BALDWIN that he was attempting to muster the courage to commit suicide, based on his facial expression and body movements.

Sgt. Larson began saying "Do it, do it," which he stated was intended to encourage Sgt. Sprecco to discharge the less-lethal shotgun at BALDWIN.

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Officer Bonilla believed that Sgt. Larson was saying "Go ahead, go ahead," and Officer Bonilla knew that there was a non-lethal shotgun on scene, and Officer Bonilla believed that "Go ahead, go ahead," was intended for someone carrying a non-lethal weapon, most likely a non-lethal shotgun.

Sgt. Sprecco heard Sgt. Larson say "Do it," and knew Sgt. Larson was speaking to him, however he did not feel it was necessary at that time because BALDWIN was in a kneeling position.

Officer Van Woerkom heard another officer/sergeant say "Do it, do it" or something about taking action right now, and did not assume that the officer was speaking directly to him. However, he took it as confirmation that it was imperative that action be taken at that moment or BALDWIN would hurt someone.

BALDWIN leaned forward towards Officer Bonilla, Sergeant Sprecco, and Sergeant Larson and made another slicing motion towards his neck.

Sergeant Larson described BALDWIN's movement as a lunge forward. He interpreted it as working up the nerve and willpower to slice his own neck.

Sergeant Sprecco estimated he was 7-10 yards from BALDWIN at this point, and believed the other officers were even closer than this. He did not specifically tell officers he was on scene, but he assumed they knew he was there and with a beanbag shotgun.

Officer Van Woerkom described seeing this motion. He saw BALDWIN's knees bend up very slightly, and his hand come up with the knife, and BALDWIN motioned forward slightly, and Officer Van Woerkom realized that with the space between BALDWIN and the officers, BALDWIN had the time to spring up quickly and he believed that BALDWIN was going to hurt one of the officers or someone else. Officer Van Woerkom knew that he needed to do something to end the threat because everything else had failed. BALDWIN was non-compliant, he ran from them, and two ECD deployments were ineffective. Knowing that the non-lethal shotgun was on scene but was not being discharged made Officer Van Woerkom question if the shotgun had failed as well.

Officer Van Woerkom then discharged his firearm 4 times at BALDWIN. Officer Van Woerkom fired until he saw BALDWIN roll to the ground and saw the knife drop to the ground. He believed he fired 3 or 4 times. Officer Van Woerkom yelled out for someone to kick the knife away.

Sgt. Larson began administering aid to BALDWIN, and ECFD arrived shortly after. BALDWIN was found to have 4 wounds. He was struck in his left bicep, right bicep, right abdomen, and right buttock. BALDWIN was transported to Sharp Memorial Hospital by AMR 438.

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Video footage of the incident is captured by BWC worn by Officer Van Woerkom, Sergeant Sprecco, Sergeant Larson, and Officer Palladino. The surrounding area was checked for video surveillance or witnesses with cell phone video evidence.

BALDWIN was placed under arrest for Resisting with Threat of Force per 69 PC. He has been under constant detention while at the hospital.

The scene was processed by Lab Technician Tara Lytle, Detective Mansour, and Detective Sayre. During the processing the following was located:

- Taser X26 Electronic Control Device
- (4) .40cal Shell Casing
- BALDWIN's Clothing, including baseball cap, keys, currency, lighter, two jackets and two shirts, jeans with belt and knife pouch, wallet, boots, and socks.
- Taser Probes
- Taser Cartridge
- Taser Blast Doors
- Buck Knife, Model 110L, with Wood Handle and 3.5" Blade.

Detective Mansour used the BWC to compare to the general area and attempt to determine distances between BALDWIN and officers at the point the shooting occurred. He was able to estimate the distance at 8-12 feet, and will be able to provide a more detailed estimate at a later time.

Sgt. Larson and two officers responded to [REDACTED] Oro St to attempt to locate and contact [REDACTED] but the residence is vacant and it does not appear that BALDWIN lives there anymore.

Witness [REDACTED] was the front seat passenger of a truck stopped for a red light on North Second Street at East Madison Avenue in the number 1 northbound lane. [REDACTED] said she saw a "man" running southbound ahead of her. She noted there were many squad cars in the area at the time. She said, "The cops told him to 'Get down! Get down!'" [REDACTED] said she believed that's when the police "initially Tasered him." She recalled the police "Tasered" the man "twice" and added, "They (police) tried as much as they could to get him to respond." [REDACTED] said she believed the man was "holding something or reaching for something." [REDACTED] said she could not see exactly what was in the man's

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"right hand" because of ambient light cast by the nearby overhead lights of the police cars. [REDACTED] went on to say about the man, "He was just not complying. He kind of pounded his fists on the ground first." She went on to describe the man's actions by saying, "He was trying to get back up. Officers were about three feet away from him it looked about. They told him to 'Get back! Get back!' Then they fired four shots." [REDACTED] took photographs of the scene and provided them via email (attached).

Witness [REDACTED] was the driver of the truck. She said of the suspect, "He just wasn't complying! I heard some shouting. I couldn't really make out what they (police) were saying but he was not going down." [REDACTED] said she believed the man was holding something though she could not be certain. She said she did not know the man but described him as wearing a "reddish jacket and some jeans." [REDACTED] said she knew the man was being contacted by police officers because she could see their uniforms and guns. [REDACTED] said she heard "four" gunshots. [REDACTED] stated she believed the police used "strategy" to protect the public during the encounter by blocking off traffic and making sure the motorists were safe.

Witness [REDACTED] was in the drive-thru of the Carl's Jr. with his vehicle window down. He heard the officers telling the suspect to stop, but the suspect kept walking. He saw one of the officers use an electronic control device and the suspect kneeled to the ground. [REDACTED] believed the suspect was then punching the ground or making a similar motion. He could still hear the officers yell at the suspect to stop. He then heard 5-6 shots.

Witness [REDACTED] was working inside Carl's Jr. and saw a portion of the incident, but could not hear anything. He saw he initially saw the suspect walk towards officers with his hands in his pockets. [REDACTED] stated the suspect looked like "he was going to attack them." [REDACTED] went outside and saw an officer shoot the suspect four times. Officers immediately began CPR on the suspect.

Witness [REDACTED] was driving her vehicle northbound on 2<sup>nd</sup> St and was stopped in the #1 lane at the red light. Her vehicle windows were up and she could not hear anything. She saw an officer arrive on scene and run towards the other officers. She then saw the suspect go to his knees and one of the officers shot him 3 times. [REDACTED] could not understand why the suspect was shot. [REDACTED] stated she was only able to see one of the suspect's hands during the incident.

There are approximately 15 additional possible witnesses that were identified through social media or other sources. Witness statements are being obtained from them and will be available at a later time.

On 01-03-17 the ECPD Lab processed the evidence recovered at the scene, to include BALDWIN's clothing. Inside the property a 5-page handwritten letter was located. It was

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written by BALDWIN [REDACTED] It begins as a will, giving his "86 GMC" to her. He goes on to complain about [REDACTED] leaving him for a new man. The letter ends with "So it came down to this, death by police and you watching them do me in, for all the blame is only on you [REDACTED] and you alone." The letter was initially dated "Dec 29<sup>th</sup>, 2016", but that was scratched out and "January 1 - 2017" was written.

Additionally, the ECPD Lab located an additional bullet imbedded inside of BALDWIN's shirt.

On 01-03-17, in the early morning hours, Sergeant Baldwin was maintaining custody of BALDWIN at Sharp Memorial Hospital. BALDWIN slept most of the night, however he did awake at one point and tell Sergeant Baldwin that he wanted to die several times, and that he could not live without his dog.

On 01-03-17 [REDACTED] removed a bullet that was lodged in BALDWIN's back. It was taken into custody by Officer Roberts who provided it to Lab Technician Marci Trefzger and entered into evidence.

On 01-03-17 Officer Lesagonicz was maintaining custody of BALDWIN at Sharp Memorial Hospital when BALDWIN woke up. [REDACTED]

On 01-04-17 BALDWIN was interviewed while in custody at Sharp Memorial Hospital. During the post-admonishment interview BALDWIN stated that he has been upset and depressed about his girlfriend, [REDACTED] leaving him and taking his dog, [REDACTED] a Pomeranian. BALDWIN has since become homeless, primarily living out of his truck. Further exacerbating the issue is that [REDACTED] took his blankets as well, and he only has one blanket, so he is cold every night. He was also upset about not receiving his monthly SSI check before New Years.

BALDWIN remembered calling 9-1-1 between 3-5 times on 01-01-17. He used a borrowed cell phone that did not have service. The purpose of calling 9-1-1 was because he was serious about committing "suicide by cop" if he could not get his dog back. BALDWIN previously spoke with two officers about his dog, so BALDWIN was convinced that ECPD knows where his dog is and is just refusing to get him for BALDWIN.

When BALDWIN called 9-1-1 he was told to stop "bugging" the dispatchers. He remembered speaking with one male and one female. The male was an "ass." He would tell BALDWIN to shut up and listen. BALDWIN hung up on the male a few times, and the male hung up on BALDWIN also. BALDWIN called to have police bring [REDACTED] and the dog to BALDWIN, so that he could get answers from [REDACTED] BALDWIN told the

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dispatchers that he was at Oakdale and 2<sup>nd</sup>, and they did not ask for his name or description.

3 Officers showed up about 20 minutes later. BALDWIN was at Oakdale and 2<sup>nd</sup>, in the center of the street. They started walking towards BALDWIN and he told them to stay back. He had his pocket knife out "to keep them at bay." If they had come near him, BALDWIN would've had cut his throat. The officers did not offer to find his dog or go get

While BALDWIN was trying to "keep them at bay," he was walking backwards down 2<sup>nd</sup> towards Madison. The officers were asking BALDWIN to stop so they could talk to him. They told him to put the knife down because BALDWIN was holding his knife in his hand, with the blade pointing upwards. He was holding the knife to his side, down towards his pocket. He refused to drop the knife when ordered.

BALDWIN stated he did not remember if anyone tried to "tase" him. He was so mad about not getting help. BALDWIN stated he did not remember if he ever ran from officers. BALDWIN did not remember anything that happened before the gun shots. He knows he was on 2<sup>nd</sup> St, and he was standing, but he did not remember what was going on or if he still had the knife in his hand.

BALDWIN stated he never would have used the knife against the officers, he just wanted to make them shoot him. BALDWIN pointed the knife at his chest and told the officers not to come closer or else he would push the knife into his chest.

BALDWIN stated "I apologize for everything." I asked what BALDWIN would have done if he was an officer in the same situation and he said "I wouldn't have shot him, that's for damn sure." BALDWIN explained that it's common sense that when someone is trying to commit "suicide by cop" an officer should try to talk the person down.

BALDWIN stated he also told officers that he had a heart problem and yet the still "tased" him. BALDWIN now stated he remembered the officer shooting an ECD at him. BALDWIN stated he just "pulled the tasers out." He does not remember if he had the knife in his hand when the ECD was discharged. BALDWIN just remembers that it did not hurt. He had two jackets and a thick pair of Levi's, so there was no way that an ECD would've been effective. BALDWIN remembered the ECD striking him in the right leg area.

BALDWIN admitted he was trying to get the officers to shoot him, however he further explained that if he was an officer in the same situation he would have tried to talk to suicidal subject down. He admitted he did not tell the officer that he wanted to commit "suicide by cop." He did tell the officers that they would have to kill him because he was not going back to jail. However, he stated that wasn't a threat so how could they have taken that as a threat.

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## SUPPLEMENTAL REPORT

17000014

BALDWIN did not believe the officers were there to help him, because all they did was surround him, deploy an ECD on him, and shoot him. The officers should not have kept approaching him and "pushing" him. Officer should not wait for the subject to "do something stupid," so that they can discharge their ECD on him.

BALDWIN stated he was shot 6 times. He was in the street, standing up, when shot. He does not know where the knife was when he was shot. He did not remember if he ever dropped the knife.

BALDWIN stated the note in the pocket was written to [REDACTED]. He said that he did not remember what he wrote in the note. I asked if he remembered writing "it had to come down to death by police" and he stated he did. He wrote the letter on 12-29-16, then scratched it out and wrote 01-01-17 because he wanted it to happen on New Years. He initially wanted it to happen on Christmas Eve.

BALDWIN just wanted answers to questions and [REDACTED] would not talk to him. He would go over to the area where she has been staying but the residents in the area would make him leave. He tried asking officers for help and they would tell him to "shut up and leave."

BALDWIN stated he wrote another letter, but he lost it. BALDWIN stated he wrote the letters so that [REDACTED] would know that BALDWIN was not "playing games." It was his final letter to her to let her know how he felt.

BALDWIN started crying and stated he wished police would have killed him, because he loved [REDACTED]. They had been together for 6 ½ months. BALDWIN still has her phone number [REDACTED].

During the interview, BALDWIN gave consent for us to access his medical records and signed the Consent Form. BALDWIN gave consent for us to search his truck and signed the Consent Form. BALDWIN gave consent for us to obtain a DNA swab and signed the Consent Form. BALDWIN gave consent for us to search the cell phone he possessed and signed the Consent Form.

BALDWIN stated he has no family in the area. BALDWIN stated he cut his family loose. The people who know him closest are [REDACTED] and his wife. They hang out at Wells Park in their Chevy Astro van. [REDACTED] He described it as a two-story beige house with an apartment complex in the back of it. Her silver Nissan SUV will be parked there as well. His dog is in the house across the street surrounded by a white picket fence.

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BALDWIN stated he is still suicidal. He stated if there was no one in his hospital room he would kill himself. BALDWIN apologized again. He stated he was apologizing for the "bullshit." To the officer who shot him, BALDWIN stated "I'm sorry for the inconvenience" as he broke down crying. He apologized for causing him trouble.

BALDWIN did not remember other people, pedestrians, or vehicles in the area during the incident. He stated it was late at night so none of the businesses were open, except 7-Eleven.

As the interview came to a close, I asked BALDWIN if there was anything else he wanted to say, and he said "I'm just sorry for all the trouble I put everybody through." He said he just wants someone to get his dog for him.

On 01-05-17 BALDWIN's phone was search and it showed that on 01-01-17 the phone called 9-1-1 7 times between 2023 and 2051 hours.

CONCLUSION:

Based on the fact that BALDWIN resisted uniformed and clearly identifiable police officers while armed with a large knife which he was exhibiting in a threatening manner, and due to his aggressive and confrontation demeanor with officers, BALDWIN was arrested for Resisting with Threat of Force per 69 PC and Exhibit Deadly Weapon in Threatening Manner per 417 PC.

On 01-04-17 BALDWIN was released from custody per 849(b)(1) PC.

S. Breakall #296  
INV / COV

DL #220 SJB  
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